

HONORABLE TANA LIN

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

SHARI KOGACHI,

Plaintiff,

vs.

ALLSTATE FIRE AND CASUALTY  
INSURANCE COMPANY,

Defendant.

NO. 2:22-cv-00239

ORDER RE STIPULATED MOTION TO  
STAY PROCEEDINGS AND PROCEED  
TO ARBITRATION

**STIPULATED RELIEF REQUESTED**

The parties, by and through their respective counsel, hereby stipulate and agree to stay the proceedings of this matter under LCR 39.1(d) and proceed to binding arbitration to occur on or before February 13, 2023 before a mutually agreeable arbitrator. The arbitrator will be asked to determine the total amount of plaintiff's bodily injury damages, without disclosure of the underlying tortfeasor's liability coverage limit or Allstate's underinsured motorist coverage limit. Any judgment entered on the arbitration award will be adjusted by any applicable setoffs or credits, including the underlying tortfeasor's \$50,000.00 policy limit and \$21,437.87 in PIP benefit payments already paid to the plaintiff, minus any *Winters* fees. The parties agree that Allstate's liability for underinsured motorist bodily injury damages will be capped at a maximum of \$75,000.00.

ORDER RE STIPULATED MOTION TO STAY  
PROCEEDINGS AND PROCEED TO ARBITRATION – 1

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1 The parties further agree Snohomish County Civil Arbitration Rules 5.2 and 5.3 will  
2 govern the submission of materials and admission of evidence and discovery shall follow the  
3 Washington State Court Civil Rules. Upon completion of the arbitration hearing and payment of  
4 the award, if any, the parties will notify the court of the same and plaintiff agrees to voluntarily  
5 dismiss her lawsuit with prejudice.

6  
7 DATED this 22 day of April 2022.

DATED this 22 day of April 2022.

8 Evergreen Personal Injury Counsel

REED McCLURE

9 /s Stephen L. Bulzomi

10 Stephen L. Bulzomi, WSBA #15187

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15  
16 **STIPULATED ORDER**

17 IT IS SO ORDERED that all proceedings in this matter are hereby stayed until March 13,  
18 2023, or until the plaintiff voluntarily dismisses her lawsuit with prejudice, whichever occurs  
19 first, unless otherwise stipulated by the parties and ordered by the court, so that the parties may  
20 pursue binding arbitration in accordance with the stipulated terms above.

21 DATED this 25th day of April, 2022

22 

23 Tana Lin

24 United States District Judge

25 ORDER RE STIPULATED MOTION TO STAY

PROCEEDINGS AND PROCEED TO ARBITRATION – 2

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